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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,987	10/31/2006	James Carlyon	1502-84PCTUSCIP	8863
55825 7590 1223/2099 Tyeo Healtheare Group LP dibla Covidien 15 Hampshire Street Mansfield, MA 02048			EXAMINER	
			PRICE, NATHAN R	
			ART UNIT	PAPER NUMBER
,			3763	
			MAIL DATE	DELIVERY MODE
			12/23/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)		
Examiner-Initiated Interview Summary	10/585,987	CARLYON ET AL.		
Examiner-initiated interview Summary	Examiner	Art Unit		
	NATHAN R. PRICE	3763		
All Participants:	Status of Application:	_		
(1) <u>NATHAN R. PRICE</u> .	(3)			
(2) <u>Jason Scher</u> .	(4)			
Date of Interview: 9 December 2009	Time:			
Exhibit Shown or Demonstrated: Yes No	ant's representative)			
If Yes, provide a brief description:				
Part I.				
Rejection(s) discussed: Non-Statutory Obviousness-Type Double Patenting				
Claims discussed: 1-40				
Prior art documents discussed: US 7,226,434 (Double Patenting)				
Part II.				
SUBSTANCE OF INTERVIEW DESCRIBING THE GENE Examiner discussed with Applicant the pending double patenting Applicant agreed to file a TD.				
Part III.				
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability. It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above. 				
/Nicholas D Lucchesi/ Supervisory Patent Examiner, Art Unit 3763 /N. R. P./				
Examiner, Art Unit 3763	Applicant/Applicant's Representat	ive Signature – if appropriate)		